

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION
CHAPTER 13 PLAN**

Debtor(s) Mahadeo Persaud Harilal and Gererah Kumari Harilal Case No: 14-07462

2nd Amended Chapter 13 Plan

CHECK ONE:

 X The Debtor¹ certifies that the Plan does not deviate from the model plan adopted by the Court at the time of the filing of this case. Any nonconforming provisions are deemed stricken.

 The Plan contains provisions that are specific to this Plan in Additional Provisions, paragraph 8(e) below. Any nonconforming provisions not set forth in paragraph 8(e) are deemed stricken.

1. MONTHLY PLAN PAYMENTS: Plan payments include the Trustee's fee of 10% and shall begin thirty (30) days from filing/conversion date. The Debtor shall make payments to the Trustee for the period of 60 months. In the event the Trustee does not retain the full 10%, any portion not retained will be paid to unsecured creditors *pro rata* under the plan:

- A. \$1,278_____ for months 1 through 6 ;
B. \$ 1450_____ for months 7 through 60 ;
C. \$ _____ for months _____ through _____;

in order to pay the following creditors:

2. ADMINISTRATIVE ATTORNEY FEE: \$4,100 TOTAL PAID \$2,643

Balance Due \$1,457

Payable Through Plan \$525 Monthly

3. PRIORITY CLAIMS [as defined in 11 U.S.C. §507]:

Name of Creditor	Total Claim
NONE_____	

¹ All references to "Debtor" include and refer to both of the debtors in a case filed jointly by two individuals.

4. **TRUSTEE FEES:** Trustee shall receive a fee from each payment received, the percentage of which is fixed periodically by the United States Trustee.

5. **SECURED CLAIMS:**

Pre-Confirmation payments allocated to secured creditors under the Plan, other than amounts allocated to cure arrearages, shall be deemed adequate protection payments. To the extent the Debtor makes such pre-confirmation payments, secured creditors who have filed proofs of claim prior to the claims bar date or within 14 days from the date of an order converting or dismissing this case, whichever date is earlier, shall have an administrative lien on such payment(s), *pro rata* with other secured creditors, subject to objection by the Debtor or Trustee.

(A) **Claims Secured by Real Property Which Debtor Intends to Retain/ Mortgage Payments and Arrears, If Any, Paid through the Plan:** If the Plan provides for the curing of prepetition arrearages on a mortgage, the Debtor will pay, in addition to all other sums due under the proposed Plan, all regular monthly post-petition mortgage payments to the Trustee as part of the Plan. These mortgage payments, which may be adjusted up or down as provided for under the loan documents, are due beginning the first due date after the case is filed and continuing each month thereafter. The Trustee shall pay the post-petition mortgage payments on the following mortgage claims:

Name of Creditor	Collateral	Regular Monthly Pmt.	Arrearages (if any)
NONE			

(B) **Claims Secured by Real Property/Debtor Intends to Seek Mortgage Modification:** Pending the resolution of a mortgage modification request, the Debtor shall make the following adequate protection payments to the Trustee, calculated at 31% of the Debtor's gross monthly income. Absent further order of this Court, the automatic stay shall terminate effective 6 months after the filing of the Debtor's bankruptcy petition:

Name of Creditor	Collateral	Payment Amt (at 31%)
NONE		

(C) **Liens to be Avoided/Stripped:**

Name of Creditor	Collateral	Estimated Amount
NONE		

(D) **Claims Secured by Real Property or Personal Property to Which Section 506 Valuation APPLIES:** Pursuant to 11 U.S.C. § 1322(b)(2), this provision does not apply to a claim secured solely by the Debtor's principal residence. The secured portion

of the claim, estimated below, and to be determined in connection with a motion to determine secured status, shall be paid as follows:

Creditor	Collateral	Value	Payment	Interest @ _____ %
NONE				

(E) Claims Secured by Real Property and/or Personal Property to Which Section 506 Valuation DOES NOT APPLY: Claims of the following secured creditors shall be paid in full with interest at the rate set forth below as follows.

Creditor	Collateral	Balance	Payment	Interest @ _____ %
Bank of America (Primary mort)	15624 Bear Creek Dr., Tampa, FL	\$1,131.00		4.875%

(F) Claims Secured by Personal Property / Regular Payments and Arrearages, if any, Paid in Plan:

Name of Creditor	Collateral	Regular Payment	Arrearages
NONE			

(G) Secured Claims/Lease Claims Paid Direct by the Debtor: The following secured claims/lease claims are to be paid direct to the creditor or lessor by the Debtor outside the Plan. The automatic stay and any codebtor stay are terminated *in rem* as to these creditors and lessors upon the filing of this Plan. Nothing herein is intended to terminate or abrogate the Debtor's state law contract rights. The Plan must provide for the assumption of lease claims in the Lease/Executory Contract section below.

Name of Creditor	Property/Collateral
Bank of America (HELOC)	15624 Bear Creek Dr., Tampa, FL
World Omni	2008 Toyota Corolla

(H) Secured Claims/Lease Claims Not Provided for Under the Plan: The following secured claims/leased claims are not provided for under the Plan. As such the automatic stay and any codebtor stay do not apply and the Debtor's liability to the

creditor is NOT DISCHARGED under the Plan. Nothing herein is intended to abrogate the Debtor's state law contract rights.

Name of Creditor

Property/Collateral

NONE

(I) **Surrender of Collateral/Leased Property:** Debtor will surrender the following collateral/leased property no later than thirty (30) days from the filing of the petition unless specified otherwise in the Plan. The automatic stay and any codebtor stay are terminated *in rem* as to these creditors and lessors upon the filing of this Plan. The Plan must provide for the rejection of lease claims in the Lease/Executory Contract section below.

Name of Creditor

**Property/Collateral to be
Surrendered**

Commercial Loan Solutions IV

2615 N. 22nd St., Tampa, FL 33605

6. LEASES/EXECUTORY CONTRACTS:

Name of Creditor

Property

Assume/Reject-Surrender

Estimated Arrears

NONE

7. GENERAL UNSECURED CREDITORS: General unsecured creditors with allowed claims shall receive a *pro rata* share of the balance of any funds remaining after payments to the above referenced creditors or shall otherwise be paid pursuant to the provisions of a subsequent Order Confirming Plan. The estimated dividend to unsecured creditors is \$6,213.

8. ADDITIONAL PROVISIONS:

(a) Secured creditors, whether or not dealt with under the Plan, shall retain the liens securing such claims;

(b) Payments made to any creditor shall be based upon the amount set forth in the creditor's proof of claim or other amount as may be allowed by a specific Order of the Bankruptcy Court.

(c) Property of the estate (check one)*

(1) _____ shall not vest in Debtor until the earlier of Debtor's discharge or dismissal of this case, unless the Court orders otherwise; or

(2) X shall vest in the Debtor upon confirmation of the Plan.

*If the Debtor fails to check (a) or (b) above, or if the Debtor checks both (a) and (b), property of the estate shall not vest in the Debtor until the earlier of the Debtor's discharge or dismissal of this case, unless the Court orders otherwise.

(d) The amounts listed for claims in this Plan are based upon Debtor's best estimate and belief. The Trustee shall only make payment to creditors with filed and allowed proof of claims. An allowed proof of claim will be controlling, unless the Court orders otherwise.

(e) Case Specific Provisions: Debtor will maintain all future property taxes and insurance payments on the property located at 15624 Bear Creek Dr., Tampa, FL

Mahadev P. Hanalal
Debtor

Dated: 12-14-14

General K. Hanalal
Debtor

Dated: 12/14-14

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been provided to the following parties either by electronic mail or by first class U. S. Mail: Office of the U.S. Trustee, 501 E. Polk St., Tampa, FL 33602; Kelly Remick, PO BOX 6099, Sun City Center, FL 33571; and to all the creditors on the attached mailing matrix 8th day of December, 2014.

/s/ Robert M. Geller _____

Robert M. Geller

Attorney for Debtor

Law Offices of Robert M. Geller, P.A.

807 W. Azeele St.

Tampa, Florida 33606

(813) 254-7687

Fla. Bar No.: 588105

Label Matrix for local noticing
113A-8
Case 8:14-bk-07462-CED
Middle District of Florida
Tampa
Fri Dec 5 12:40:33 EST 2014

Mahadeo Persaud Harilal
15624 Bear Creek Dr.
Tampa, FL 33624-1704

American Express Centurion Bank
c o Becket and Lee LLP
POB 3001
Malvern, PA 19355-0701

Bank of America, N.A.
Bankruptcy Department, Mail Stop CA6-919
Simi Valley, CA 93065

Cap One
12447 Sw 69th Ave
Tigard, OR 97223-8517

(p)CAPITAL ONE
PO BOX 30285
SALT LAKE CITY UT 84130-0285

Capl/Rtg
90 Christiana Rd
New Castle, DE 19720-3118

Chase/Kane
Po Box 15298
Wilmington, DE 19850-5298

Comenity Bank/Fashbug
Po Box 182272
Columbus, OH 43218-2272

Credit One Bank Na
Po Box 98875
Las Vegas, NV 89193-8875

Commercial Loan Solutions VI, LLC
c/o W. Patrick Ayers, Esq.
302 Knights Run Avenue
Suite 1100
Tampa, FL 33602-5987

World Omni
Tripp Scott P.A.
James B Flanigan, Esq
c/o 110 SE 6 St, 15 Floor
Fort Lauderdale, FL 33301-5004

Amex
Po Box 297871
Fort Lauderdale, FL 33329-7871

Bby/Cbna
50 Northwest Point Road
Elk Grove Village, IL 60007-1032

Cap One
26525 N Riverwoods Blvd
Mettawa, IL 60045-3438

Capl/Bstby
26525 N Riverwoods Blvd
Mettawa, IL 60045-3438

Capital One Bank (USA), N.A.
PO Box 71083
Charlotte, NC 28272-1083

Citi
Po Box 6241
Sioux Falls, SD 57117-6241

Commercial Loan Sol. IV
c/o Midwest Servicing Inc.
230 Crosskeys Office Pk
Fairport, NY 14450-3510

Credit Protection Asso
13355 Noel Rd Ste 2100
Dallas, TX 75240-6837

Gererah Kumari Harilal
15624 Bear Creek Dr.
Tampa, FL 33624-1704

Accel Recv M
3219 Atlantic Blvd
Jacksonville, FL 32207-8901

Bank of America, N.A.
Bankruptcy Department
P.O. Box 26012, NC4-105-02-99
Greensboro, North Carolina 27420-6012

(p)BANK OF AMERICA
PO BOX 982238
EL PASO TX 79998-2238

Cap One
Po Box 30253
Salt Lake City, UT 84130-0253

Capl/Bstby
Po Box 5253
Carol Stream, IL 60197-5253

Chase
Po Box 15298
Wilmington, DE 19850-5298

Citibank, N.A.
701 East 60th Street North
Sioux Falls, SD 57104-0493

Commercial Loan Solutions IV, LLC
230 CrossKeys Office Park
Fairport, NY 14450-3510

Department of Revenue
PO Box 6668
Tallahassee, FL 32314-6668

Discover Bank
DB Servicing Corporation
PO Box 3025
New Albany, OH 43054-3025

Discover Fin Svcs LLC
Po Box 15316
Wilmington, DE 19850-5316

Fashion Bug/Soanb
1103 Allen Dr
Milford, OH 45150-8763

Fidelity Bank
1380 N Courtenay Pkwy
Merritt Island, FL 32953-4465

Internal Revenue Service
P.O. Box 7346
Philadelphia, PA 19101-7346

Jared-Galleria Of Jwlr
375 Ghent Rd
Fairlawn, OH 44333-4601

LVNV Funding, LLC
c/o Resurgent Capital Services
Po Box 10587
Greenville, SC 29603-0587

Mcydsnb
9111 Duke Blvd
Mason, OH 45040-8999

Portfolio Recovery Ass
120 Corporate Blvd Ste 1
Norfolk, VA 23502-4962

(p)PORTFOLIO RECOVERY ASSOCIATES LLC
PO BOX 41067
NORFOLK VA 23541-1067

Pro Consulting Services
PO Box 66768
Houston, TX 77266-6768

Quantum3 Group LLC as agent for
MOMA Funding LLC
PO Box 788
Kirkland, WA 98083-0788

Rubin & Debski
PO Box 47718
Jacksonville, FL 32247-7718

Sears/Cbna
Po Box 6189
Sioux Falls, SD 57117-6189

Sears/Cbna
Po Box 6283
Sioux Falls, SD 57117-6283

Shell/Citi
Po Box 6497
Sioux Falls, SD 57117-6497

(p)SPRINGLEAF FINANCIAL SERVICES
P O BOX 3251
EVANSVILLE IN 47731-3251

Syncb/Care Credit
Po Box 965036
Orlando, FL 32896-5036

Syncb/Dillard's
Po Box 965024
Orlando, FL 32896-5024

Syncb/Lowes
Po Box 965005
Orlando, FL 32896-5005

Syncb/Oldnavydc
Po Box 965005
Orlando, FL 32896-5005

Syncb/Tjx Cos
Po Box 965005
Orlando, FL 32896-5005

Syncb/Tjx Cos Dc
Po Box 965005
Orlando, FL 32896-5005

Syncb/Walmart
Po Box 965024
Orlando, FL 32896-5024

Synchrony Bank
c/o Recovery Management Systems Corp
25 SE 2nd Ave Suite 1120
Miami FL 33131-1605

Td Bank USA, NA
c/o Weinstein, Pinson and Riley PS
2001 Western Avenue, Ste 400
Seattle WA 98121-3132

Target Nb
Po Box 673
Minneapolis, MN 55440-0673

Td Bank Usa/Targetcred
Po Box 673
Minneapolis, MN 55440-0673

Thd/Cbna
Po Box 6497
Sioux Falls, SD 57117-6497

Unvl/Citi
Po Box 6241
Sioux Falls, SD 57117-6241

(p)WELLS FARGO BANK NA
WELLS FARGO HOME MORTGAGE AMERICAS SERVICING
ATTN BANKRUPTCY DEPT MAC X7801-014
3476 STATEVIEW BLVD
FORT MILL SC 29715-7203

Wells Fargo
P.O. Box 6417
Carol Stream, IL 60197-6417

Wells Fargo Bank, N.A.
Business Direct Division
P.O. Box 29482
Phoenix, AZ 85038-9482

World Omni
Po Box 91614
Mobile, AL 36691-1614

World Omni Financial Corp.
c/o James B. Flanigan, Esquire
110 SE 6th Street, 15th Floor
Fort Lauderdale, FL 33301-5004

Clive N. Morgan +
6675 Corporate Center Pkwy, Ste 301
Jacksonville, FL 32216-8084

Robert M Geller +
Law Offices of Robert M. Geller, P.A.
807 W Azeele Street
Tampa, FL 33606-2209

United States Trustee - TPA7/13 7+
Timberlake Annex, Suite 1200
501 E Polk Street
Tampa, FL 33602-3949

W Patrick Ayers +
Arnstein & Lehr, LLP
Two Harbour Place
302 Knights Run Avenue, Suite 1100
Tampa, FL 33602-5987

James B Flanigan +
Tripp Scott, PA
110 SE 6th Street, 15th Floor
Fort Lauderdale, FL 33301-5004

Kelly Remick +
Chapter 13 Standing Trustee
Post Office Box 6099
Sun City, FL 33571-6099

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Bk Of Amer
4161 Piedmont Pkwy
Greensboro, NC 27410

(d)Bk Of Amer
Po Box 982235
El Paso, TX 79998

Cap One
Po Box 85520
Richmond, VA 23285

Portfolio Recovery Associates, LLC
POB 41067
Norfolk VA 23541

Springleaf Financial S
600 N King St
Wilmington, DE 19801

Wells Fargo
8480 Stagecoach Circ
Frederick, MD 21701

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Bank of America, N.A.

(u)FIA Card Services, N.A. as successor to
Bank of America N.A. (USA)
and MBNA America Bank N.A.
P O Box 982284
El Paso TX 799982238El Paso, TX 79998-2

End of Label Matrix	
Mailable recipients	70
Bypassed recipients	2
Total	72